

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 1058**

FINAL READING

Introduced by McDonald, 41; Pankonin, 2.

Read first time January 18, 2008

Committee: General Affairs

A BILL

1 FOR AN ACT relating to gambling; to amend sections 71-816 and  
2 71-817, Revised Statutes Cumulative Supplement, 2006; to  
3 state intent; to rename and change powers and duties  
4 of the State Advisory Committee on Problem Gambling and  
5 Addiction Services; to harmonize provisions; to repeal  
6 the original sections; and to declare an emergency.  
7 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 71-816, Revised Statutes Cumulative  
2 Supplement, 2006, is amended to read:

3           71-816 (1) The Legislature finds that the main sources  
4 of funding for the Compulsive Gamblers Assistance Fund are the  
5 Charitable Gaming Operations Fund as provided in section 9-1,101  
6 and the State Lottery Operation Trust Fund as provided in section  
7 9-812 and Article III, section 24, of the Constitution of Nebraska.  
8 It is the intent of the Legislature that the Compulsive Gamblers  
9 Assistance Fund be used primarily for counseling and treatment  
10 services for problem gamblers and their families who are residents  
11 of Nebraska.

12           ~~(1)~~ (2) The State Advisory Committee on Problem Gambling  
13 and Addiction Services is created. Members of the committee  
14 shall have a demonstrated interest and commitment and specialized  
15 knowledge, experience, or expertise relating to the provision of  
16 problem gambling and addiction services in the State of Nebraska.  
17 The committee shall consist of twelve members appointed by the  
18 Governor and shall include at least three consumers of problem  
19 gambling or addiction services. The committee shall appoint one of  
20 its members as chairperson of the committee and other officers as  
21 it deems appropriate. The committee shall conduct regular meetings  
22 and shall meet upon the call of the chairperson or a majority of  
23 its members to conduct its official business.

24           (3) The committee shall develop and recommend to  
25 the division guidelines and standards for the distribution and

1 disbursement of money in the Compulsive Gamblers Assistance  
2 Fund. Such guidelines and standards shall be based on nationally  
3 recognized standards for compulsive gamblers assistance programs.

4 (4) In addition, the committee shall develop  
5 recommendations regarding (a) the evaluation and approval  
6 process for provider applications and contracts for treatment  
7 funding from the Compulsive Gamblers Assistance Fund, (b) the  
8 review and use of evaluation data, (c) the use and expenditure  
9 of funds for education regarding problem gambling and prevention  
10 of problem gambling, and (d) the creation and implementation of  
11 outreach and educational programs regarding problem gambling for  
12 Nebraska residents. The committee may engage in other activities it  
13 finds necessary to carry out its duties under this section.

14 (5) Based on the recommendations of the committee, the  
15 division shall adopt guidelines and standards for the distribution  
16 and disbursement of money in the fund and for administration of  
17 problem gambling and addiction services in Nebraska.

18 (6) The division and the committee shall jointly submit  
19 a report within sixty days after the end of each fiscal year  
20 to the Legislature and the Governor that provides details of the  
21 administration of services and distribution of funds.

22 ~~(2) The committee shall be responsible to the division~~  
23 ~~and shall (a) conduct regular meetings, (b) provide advice and~~  
24 ~~assistance to the division relating to the provision of problem~~  
25 ~~gambling and addiction services in the State of Nebraska, (c)~~

1 evaluate applications for funding from the Compulsive Gamblers  
2 Assistance Fund and make recommendations relating to disbursements  
3 from the fund, (d) promote the interests of consumers and their  
4 families, (e) provide reports as requested by the division, and (f)  
5 engage in such other activities as directed or authorized by the  
6 division.

7           Sec. 2. Section 71-817, Revised Statutes Cumulative  
8 Supplement, 2006, is amended to read:

9           71-817 The Compulsive Gamblers Assistance Fund is  
10 created. The fund shall include revenue transferred from the  
11 State Lottery Operation Trust Fund under section 9-812 and the  
12 Charitable Gaming Operations Fund under section 9-1,101 and any  
13 other revenue received by the division for credit to the fund from  
14 any other public or private source, including, but not limited  
15 to, appropriations, grants, donations, gifts, devises, bequests,  
16 fees, or reimbursements. The division shall administer the fund  
17 for the treatment of problem gamblers as recommended by the State  
18 ~~Advisory~~ Committee on Problem Gambling and ~~Addiction~~ Services  
19 established under section 71-816 and shall spend no more than ten  
20 percent of the money appropriated to the fund for administrative  
21 costs. The Director of Administrative Services shall draw warrants  
22 upon the Compulsive Gamblers Assistance Fund upon the presentation  
23 of proper vouchers by the division. Money from the Compulsive  
24 Gamblers Assistance Fund shall be used exclusively for the purpose  
25 of providing assistance to agencies, groups, organizations, and

1 individuals that provide education, assistance, and counseling to  
2 individuals and families experiencing difficulty as a result of  
3 problem gambling, to promote the awareness of gamblers assistance  
4 programs, and to pay the costs and expenses of the division and the  
5 committee with regard to problem gambling. The division shall not  
6 provide any direct services to problem gamblers or their families.  
7 Funds appropriated from the Compulsive Gamblers Assistance Fund  
8 shall not be granted or loaned to or administered by any regional  
9 behavioral health authority unless the authority is a direct  
10 provider of a problem gamblers assistance program. Any money in  
11 the fund available for investment shall be invested by the state  
12 investment officer pursuant to the Nebraska Capital Expansion Act  
13 and the Nebraska State Funds Investment Act.

14           Sec. 3. Original sections 71-816 and 71-817, Revised  
15 Statutes Cumulative Supplement, 2006, are repealed.

16           Sec. 4. Since an emergency exists, this act takes effect  
17 when passed and approved according to law.